

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

In re:

Kimberly Ray Gregory

S.S. No.: xxx-xx-1838

Mailing Address: 3514 E. Geer Street, Durham, NC 27704-

Case No. 09-81940

Debtor.

NOTICE TO CREDITORS AND PROPOSED PLAN

The Debtor has filed for relief under Chapter 13 of the United States Bankruptcy Code on October 30, 2009.

The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtor's proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: November 19, 2009

LAW OFFICES OF JOHN T. ORCUTT, P.C.

/s John T. Orcutt

John T. Orcutt
N.C. State Bar No. 10212
Counsel for the Debtor
6616-203 Six Forks Rd.
Raleigh, N.C. 27615
Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

**CH. 13 PLAN - DEBTS SHEET
(MIDDLE DISTRICT - DESARDI VERSION)**

Date: 9/8/09

Lastname-SS#: Gregory-1838

RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN

Retain	Creditor Name	Sch D #	Description of Collateral

STRIKED COLLATERAL

Creditor Name	Description of Collateral
GMAC	309 Currin
Sun Trust	3508 E. Geer

ARREARAGE CLAIMS

Retain	Creditor Name	Sch D #	Arrearage Amount	(See †)
				**
				**
				**
				**
				**
	Citi Mortgage	1	\$544	**
				**
				**
				**

REJECTED EXECUTORY CONTRACTS/LEASES

Creditor Name	Description of Collateral

DED - DOT ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS

Retain	Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	Citi Mortgage	1	\$544	N/A	n/a	\$544.00	Home and Land
				N/A	n/a		
				N/A	n/a		
				N/A	n/a		

STD - SECURED DEBTS @ FMV

Retain	Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	Beneficial	1	\$0	6.00	\$0	\$0.01	Home and Land
				6.00			
				6.00			
				6.00			

STD - SECURED DEBTS @ 100%[†]

Retain	Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
				6.00			
				6.00			
				6.00			
				6.00			
				6.00			

ATTORNEY FEES (1 unpaid part)

Amount

Law Offices of John T. Orcutt, P.C. \$2,800

SECURED TAXES

Secured Amt

IRS Tax Liens

Real Property Taxes on Retained Realty

UNSECURED PRIORITY DEBTS

Amount

IRS Taxes

State Taxes

Personal Property Taxes

Alimony or Child Support Arrearage

CO-SIGN PROTECT (Pay 100%[†]) Int. % Payoff Amt

All Co-Sign Protect Debts (See*)

GENERAL NON-PRIORITY UNSECURED

Amount

DMI= None(\$0) None(\$0)

Other Miscellaneous Provisions

Plan to allow for 3 "waivers".

PROPOSED CHAPTER 13 PLAN PAYMENT

\$ 788

per month for

48

months, then

\$ N/A

per month for

N/A

months.

Adequate Protection Payment Period: 11.02 monthly.

Sch D # = The number of the secured debt as listed on Schedule D.

Adequate Protection = Monthly 'Adequate Protection' payment amt.

† = May include up to 2 post-petition payments.

* Co-sign protect on all debts so designated on the filed schedules.

** = Greater of DMI x ACP or EAE (Page 4 of 4)

Ch13Plan_MD_(New_Desardi) (6/24/09) © John T. Orcutt

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CERTIFICATE OF SERVICE

I, Charlene Free, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

All the creditors set forth on the mailing matrix filing in this case.

/s Charlene Free

Charlene Free

North Carolina Department of Revenue c/o NC Department of Justice Post Office Box 629 Raleigh, NC 27602-0629	Internal Revenue Service (ED)** Post Office Box 21126 Philadelphia, PA 19114-0326	CitiMortgage 5280 Corporate Drive Post Office Box 9442-Dept 0521 Frederick, MD 21703
Employment Security Commission Attn: Benefit Payment Control Post Office Box 26504 Raleigh, NC 27611-6504	US Attorney's Office (ED)** 310 New Bern Avenue Suite 800, Federal Building Raleigh, NC 27601-1461	Credit Bureau of Greensboro** Post Office Box 26140 Greensboro, NC 27402-0040
Credit Bureau Post Office Box 26140 Greensboro, NC 27402	Account Solutions Group, LLC 205 Bryant Woods South Buffalo, NY 14228	Durham County Tax Collector Post Office Box 3397 Durham, NC 27701
NC Child Support Centralized Collections Post Office Box 900006 Raleigh, NC 27675-9006	Bank of America ATTN: Billing Inquiries Post Office Box 15026 Wilmington, DE 19850-5026	GEMB/Care Credit Post Office Box 103104 Roswell, GA 30076
Equifax Information Systems LLC P.O. Box 740241 Atlanta, GA 30374-0241	Beneficial Po Box 3425 Buffalo, NY 14240	GEMB/JC Penney** Attn: Bankruptcy Dept PO box 103104 Roswell, GA 30076
Experian P.O. Box 2002 Allen, TX 75013-2002	Capital Management Services Inc. 726 Exchange Street Suite 700 Buffalo, NY 14210	GEMB/Lowe's Post Office Box 981064 El Paso, TX 79998-1064
Innovis Data Solutions Attn: Consumer Assistance P.O. Box 1534 Columbus, OH 43216-1534	Capital One *** Post Office Box 30285 Salt Lake City, UT 84130-0285	GMAC Post Office Box 7041 Troy, MI 48007-7041
Trans Union Corporation P.O. Box 2000 Crum Lynne, PA 19022-2000	Chase Auto Finance Post Office Box 901076 Fort Worth, TX 76101-2076	GMAC Mortgage ATTN: Customer Service Post Office Box 780 Waterloo, IA 50704-0780
ChexSystems Attn: Consumer Relations 7805 Hudson Road, Ste. 100 Woodbury, MN 55125	Child Support Enforcement Post Office Box 20800 Raleigh, NC 27619-0800	HSBC Card Services Post Office Box 80084 Salinas, CA 93912-0084

Internal Revenue Service (MD)**
Post Office Box 21126
Philadelphia, PA 19114-0326

Suntrust Mortgage
PO Box 26527
Richmond, VA 23261

Law Offices of Brachfeld Associates
20300 S Vermont Avenue
Suite 120
Torrance, CA 90502

US Attorney's Office (MD)**
Middle District
Post Office Box 1858
Greensboro, NC 27502-1858

Law Offices of John T. Orcutt
6616-203 Six Forks Road
Raleigh, NC 27615

Lowes
PO Box 981401
El Paso, TX 79998-1401

LVNV Funding, LLC
Post Office Box 10584
Greenville, SC 29603

Midland Funding LLC
c/o Mann Bracken, LLP
9930 Kincey Ave., Floor 3
Huntersville, NC 28078

North Carolina Department of Revenue
c/o Reginald S. Hinton
Post Office Box 25000
Raleigh, NC 27640-5000

North Carolina Dept of Revenue**
Post Office Box 1168
Raleigh, NC 27602-1168

Northland Group, Inc.
Post Office Box 390846
Edina, MN 55439-0846